

MAR 28 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JONATHAN RALPH TAYLOR,

Defendant - Appellant.

No. 07-10295

D.C. No. CR-06-00053-JCM

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Nevada
James C. Mahan, District Judge, Presiding

Submitted March 18, 2008^{**}

Before: CANBY, T.G. NELSON, and BEA, Circuit Judges.

Jonathan Ralph Taylor appeals from the 120-month sentence imposed following his guilty-plea conviction for being a felon in possession of a firearm, in

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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violation of 18 U.S.C. § 922(g)(1). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Taylor contends that the district court erred in applying a four-level enhancement pursuant to U.S.S.G. § 2K2.1(b)(6), because he did not "use" his firearm "in connection with" another felony offense, and that the predicate offense was not a felony under Nevada law. This contention fails because Taylor fled from police into an occupied apartment while holding a firearm. *See United States v. Polanco*, 93 F.3d 555, 566-67 (9th Cir. 1996); Nev.Rev.Stat. 199.280 (2007).

AFFIRMED.